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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

**PATENT
APPLICATION**

In re **PATENT APPLICATION** of
 Inventor(s): Mitchell Reff et al.
 Appln. No.: 09 | 019,441
 Series Code ↑ | Serial No. ↑

Group Art Unit: 1644
 Examiner: M. DiBrino
 Atty. Dkt. P 0275470
 M#

Client Ref

Filed: February 5, 1998
 Title: Gamma-1 and Gamma-2 Anti-Human CD23 Monoclonal
 Antibodies and Use Thereof as Therapeutics

Hon. Commissioner of Patents
 Washington, D.C. 20231

Sir:

1. **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated April 23, 2001 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. "Small entity" statement filed: herewith. previously.
6. Fee NOT required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,	enter \$310/155	\$310 119/219
If box 2 above is X'd,	enter \$310/155	\$0 120/220
If box 3 above is X'd,	enter \$270/135	\$0 121/221
If box 4 above is X'd,	enter nothing - 0 - (no fee)	
8. Original due date:		
9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo) \$110/\$55 (2 mos) \$390/\$195 (3 mos) \$890/\$445 (4 mos) \$1390/\$695 (Usable only if box 2 is X'd--- 5 mos) \$1890/\$945	+\$0
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above Original due date (item 8); <input type="checkbox"/> with concurrently filed amendment	-\$0	
11. Subtract line 9 from line 8 and enter: Total Extension Fee		+\$0
09/25/2001 NGUYEN 00000054 09019441	TOTAL FEE ATTACHED =	\$310

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310.00 0P

(Our Deposit Account No. 03-3975)
 (Our Order No. 037003 | 0275470
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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

09/25/2001 NGUYEN 00000054 09019441

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390.00 0P

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Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments